

FILED

FEB 25 2019

Matthew Shub
CLERK

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
CENTRAL DIVISION

UNITED STATES OF AMERICA,

CR

3:19-mj-16

Plaintiff,

vs.

BRENDAN LEE and
SARA WORTHMAN,

Defendants.

CRIMINAL COMPLAINT AND
AFFIDAVIT

POSSESSION WITH INTENT TO
DISTRIBUTE A CONTROLLED
SUBSTANCE and CONSPIRACY TO
DISTRIBUTE A CONTROLLED
SUBSTANCE

I, the undersigned Complainant, state the following are true and correct
to the best of my knowledge and belief:

On or about the 21st day of February, 2019, in the District of South
Dakota,

BRENDAN LEE and
SARA WORTHMAN,

knowingly and intentionally, possessed with intent to distribute 50 kilograms
or more of marihuana, a Schedule I controlled substance, in violation of 21
U.S.C. §§ 841(a)(1) and 841(b)(1)(C).

Beginning at a time unknown but no later than on or about the 21st day
of February, 2019, and continuing to on or about the date of this Complaint, in
the District of South Dakota and elsewhere,

BRENDAN LEE and
SARA WORTHMAN,

knowingly and intentionally, combined, conspired, confederated, and agreed

with persons to knowingly and intentionally distribute and possess with intent to distribute 50 kilograms or more of marihuana, a Schedule I controlled substance, in violation of 21 U.S.C. §§ 846, 841(a)(1), and 841(b)(1)(C).

I further state that this Criminal Complaint and Affidavit are based upon the following facts:

1. I am a Police Officer with the Cheyenne River Sioux Tribe Law Enforcement Services (CRSTLES). I have been a certified law enforcement officer for approximately seven years, holding the rank of Police Officer with the CRSTLES since 2016. I am federally deputized and currently assigned to the Federal Bureau of Investigation (FBI) as a Task Force Officer (TFO) with the Northern Plains Safe Trails Drug Enforcement Task Force (NPSTDETF), based in Pierre, South Dakota.

2. This Affidavit is based upon my personal knowledge, review of documents, discussions with law enforcement officers, and information received from other sources. I believe the information described in this Affidavit establishes probable cause in support of issuing an arrest warrant and a criminal complaint for Brendan Lee and Sara Worthman. The basis for my belief is set forth below.

3. I have been involved in numerous narcotics investigations and have received specialized training for the investigation of illegal drug activity. I have attended three different drug interdiction courses, a two-week drug investigators course, and have had other drug investigation training. I completed the twelve-week basic law enforcement certification course at the Oklahoma Law

Enforcement Academy and a one-week reciprocity course at the South Dakota Law Enforcement Academy. During my time as a police officer, I have been involved in numerous types of criminal investigations, including, but not limited to, narcotics violations, assaults, drug trafficking, and general patrol duties. I have interviewed numerous suspects, victims, and witnesses pertaining to the aforementioned criminal investigations.

4. I work with CRSTLES K9. Sergeant Ramon Marrufo, and he informed me on February 21, 2019, he was patrolling west bound on U.S. Highway 212 in his patrol vehicle near mile marker 151 in Dewey County, South Dakota. K9 Sgt. Marrufo observed a U-Haul truck with Arizona license plate AH21999 traveling east, which appeared to be moving faster than the 65 miles per hour (MPH) posted speed limit. K9 Sgt. Marrufo activated his front radar, which indicated the vehicle's speed was 70 MPH. K9 Sgt. Marrufo conducted a traffic stop on the vehicle, which pulled over to the shoulder of the road at about 1:37:55 PM.

5. K9 Sgt. Marrufo indicated he made contact with the female driver and a male passenger, who were later identified by their Indiana drivers' licenses as Sara Worthman and Brendan Lee. As K9 Sgt. Marrufo approached the driver, Lee, who was sitting in the passenger seat, had just lit a cigarette. Lee answered questions directed at Worthman, who was the driver. K9 Sgt. Marrufo was provided the rental agreement and requested Worthman accompany him back to his patrol car.

6. Once in the patrol car, Worthman told K9 Sgt. Marrufo they were on their way to Chicago, but K9 Sgt. Marrufo observed the drop off point for the U-Haul was in Bloomington, Indiana. K9 Sgt. Marrufo asked where the two were in route from, to which Worthman said Boise, Idaho. As K9 Sgt. Marrufo continued to review the rental agreement, he noticed Worthman appeared very nervous and could not keep her hands still. As K9 Sgt. Marrufo wrote the speeding citation, he asked Worthman whether there was anything in the vehicle he needed to be concerned about. With a nervous tone, she replied, "No." K9 Sgt. Marrufo then asked Worthman for consent to search the vehicle, and she asked whether it was her right to say no. K9 Sgt. Marrufo told her it was her right to refuse, and she declined consent to search.

7. K9 Sgt. Marrufo requested an additional unit at the stop location. K9 Sgt. Donnie Farlee arrived shortly thereafter and deployed his Certified Narcotics Detector dog, Beaudy, for an exterior screen of the vehicle at about 1:42:16 PM. Beaudy indicated to the odor of illegal narcotics coming from the vehicle. Based upon Beaudy's indication and the other signs of suspicious activity, law enforcement searched the U-Haul. Upon a search of the cargo compartment of the U-Haul, law enforcement located, inside the sealed bottom of three couches, numerous packages of a substance believed to be marijuana. I had arrived at the stop location by this point. I placed Lee and Worthman into custody. As I was applying handcuffs to Lee, he told me everything was his without being asked any questions. Officers transported Lee and Worthman to the jail in Eagle Butte, South Dakota.

8. Officers transported the U-Haul from the stop location to the CRSTLES Center Sally Port where a safe and secure search of the vehicle could be conducted. Once at the CRSTLES Center, officers continued the search of the vehicle and uncovered 147 packages, weighing approximately 157 pounds or 71 kilograms, believed to contain marihuana.

9. At the jail, TFO Jeremy Reede and I interviewed Lee and Worthman separately. Worthman was read her *Miranda* rights and agreed to waive them and speak with law enforcement. Worthman advised Lee and her flew into Boise, Idaho, rented a U-Haul, and drove to California, where furniture was loaded into the cargo area for the trip back to Chicago. Worthman indicated she knew there was marihuana in the truck but did not know the exact amount. Worthman also indicated she was being paid \$1,000 for the trip and \$500 had already been deposited into her bank account.


10. Lee was read his *Miranda* rights and agreed to waive them and speak with law enforcement. Lee indicated everything in the vehicle was his and he orchestrated the entire operation. Lee advised he was paying Worthman \$10,000 to drive because she had a valid license. He also indicated the entire load contained between 145 and 150 pounds of marihuana, which he paid for in cash.

11. Based on the above information and my training and experience, I respectfully submit there is probable cause to conclude Brendan Lee and Sara Worthman, knowingly and intentionally, possessed with intent to distribute and conspired with others to distribute 50 kilograms or more of marihuana, a

Schedule I controlled substance, in violation of 21 U.S.C. §§ 846, 841(a)(1), and 841(b)(1)(C).

Warrant Request

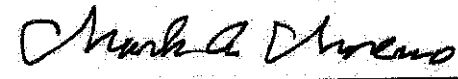
12. Based on the above-mentioned information, I respectfully request this Court to issue an arrest warrant for Brendan Lee and Sara Worthman.


Cody Norman, Task Force Officer,
Northern Plains Safe Trails Drug
Enforcement Task Force

Sworn to before me and:

- ☒ signed in my presence.
☐ submitted, attested to, and acknowledged by reliable electronic means.

this 25th day of February, 2019.


Mark A. Moreno
United States Magistrate Judge

Penalties: Up to 20 years of imprisonment, a \$1,000,000 fine, or both; at least 3 years of supervised release up to life; violation could result in 2 additional years of custody on any such revocation; \$100 assessment to the Federal Crime Victims Fund; restitution.

If Defendant has a prior conviction for a serious drug or serious violent felony, Defendant shall be sentenced to a term of imprisonment of up to 30 years, a \$2,000,000 fine, or both, and at least 6 years of supervised release up to life.